

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

<p>By: Carmencita Maria Pedro <i>pro se</i> Plaintiff</p> <p>P.O. Box 15616 541 North Paxon Street Philadelphia, PA 19131 (267) 670-3721 mobile carmencitapedro@gmail.com</p>	<p>Civil Action No. _____</p> <p>Civil Rights Cause of Action in Employment Discrimination Pursuant to Section 1981 of the Civil Rights Act of 1866, as amended; and Title VII of the Civil Rights Act; and the Americans with Disabilities Act, as amended; and the Age Discrimination in Employment Act, as amended; and Title I of the Workforce Innovation and Opportunity Act.</p>
<p>CARMENCITA MARÍA PEDRO <i>pro se</i> Plaintiff</p> <p>v.</p> <p>UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION CITY OF PHILADELPHIA COMMISSION ON HUMAN RELATIONS PHILADELPHIA WORKS, INC. H. PATRICK CLANCY, individually and in his professional capacity DISTRICT 1199C NATIONAL UNION OF HOSPITAL AND HEALTH CARE WORKERS, AFSCME, AFL-CIO DISTRICT 1199C TRAINING & UPGRADING FUND CHERYL FELDMAN, individually and in her professional capacities ELIZABETH HAMMOND, individually and in her professional capacity ANGELICA VELASQUEZ, individually and in her professional capacity FREEDMAN & LORRY, P.C. NEIL GOLDSTEIN, Esquire, individually and in his professional capacity SUSAN A. MURRAY, Esquire, individually and in her professional capacity THE AMOORE GROUP, INC.</p> <p>Defendants</p>	

COMPLAINT

AND NOW, the *pro se* Plaintiff, Carmencita María Pedro, hereby files this civil rights cause of action in employment discrimination against the above-captioned Defendants pursuant to the legal rights that are afforded to her under, *inter alia*, Section 1981 of the Civil Rights Act of 1866, as amended; and Title VII of the Civil Rights Act; and the Americans with Disabilities Act, as amended; and the Age Discrimination in Employment Act, as amended; and Title I of the Workforce Innovation and Opportunity Act.

The instant civil rights lawsuit relates to, arises from and grows out of the two (2) Charges of Discrimination (“Charges”) that Ms. Pedro filed with the United States Equal Employment Opportunity Commission (“EEOC”) in-person at the Philadelphia District Office on Monday, 30 September 2019 [EEOC Charge No. 530-2019-01160 (PCHR Charge No. 2019-11-06-2418) – Carmencita María Pedro v. District 1199C Training & Upgrading Fund for Philadelphia Hospital and Health Care Employees, et al.] and Wednesday, 30 October 2019 [EEOC Charge No. 530-2020-00676 – Carmencita María Pedro v. The Amore Group, Inc.]. The instant civil rights lawsuit is also hereby filed in connection with and in furtherance of the Civil Action No. 20-01397 – Carmencita María Pedro v. Philadelphia Works, Inc., et al. that she commenced on 12 March 2020. All the factual

allegations pled within EEOC Charge No. 530-2019-01160 (PCHR Charge No. 2019-11-06-2418), EEOC Charge No. 530-2020-00676 and Civil Action No. 20-01397 are hereby incorporated into and made part hereof, by reference, as though set forth and full herein.

By and through this civil rights cause of action, Ms. Pedro seeks to compel the forthwith production of the supposed “**findings**” that were adopted and entered by the EEOC [EEOC Charge No. 530-2019-01160 (PCHR Charge No. 2019-11-06-2418) – Carmencita María Pedro v. District 1199C Training & Upgrading Fund for Philadelphia Hospital and Health Care Employees, et. al.] and [EEOC Charge No. 530-2020-00676 – Carmencita María Pedro v. The Amoore Group, Inc.] and the full and complete Charge Files pertaining to said Charges, which are currently in the possession, custody and control of the EEOC and the City of Philadelphia Commission on Human Relations (“PCHR”). The instant civil rights lawsuit and Civil Action No. 20-01397 are subject to supplementation and amendment as deemed necessary.

JURISDICTION & VENUE

1. This Court has subject matter jurisdiction over this civil rights cause of action, as it concerns violations of federal statutes and regulations, in particular, the following:
 - a. Section 1981 of the Civil Rights Act of 1866, as amended, 42 U.S.C. § 1981.
 - b. Title VII of the Civil Rights Act of 1964, 42 U.S.C. 2000e et seq., and its implementing regulations at 29 C.F.R. § 1600 – § 1606.
 - c. Americans with Disabilities Act of 1990, as amended, 42 U.S.C. § 12101 et seq., and its implementing regulations at 29 C.F.R. § 1630.
 - d. Age Discrimination in Employment Act of 1967, as amended, 29 U.S.C. § 621 – § 634 and its implementing regulations at 29 C.F.R. § 1625.
 - e. Title I of the Workforce Innovation and Opportunity Act, 29 U.S.C. § 3101 et seq. and its implementing regulations at 20 C.F.R. § 680 et seq.

2. This Court has jurisdiction over all the parties to this civil rights cause of action, who were – at all times relevant – doing business in and/or residing within the Eastern District of Pennsylvania.
3. Venue is proper in the Eastern District of Pennsylvania, in that, the events and offenses pled herein occurred within the Commonwealth of Pennsylvania, City and County of Philadelphia.

PARTIES

The Plaintiff

4. The *pro se* Plaintiff is Carmencita María Pedro.
 - a. Ms. Pedro is a woman age 49 of Afro-Latino (Puerto Rican) descent and the color and hue of her skin is dark.
 - b. Ms. Pedro brings this civil rights cause of action in her capacities
 - 1.) as a natural born United States citizen residing in the City and County of Philadelphia, Pennsylvania; 2.) as an intended beneficiary under Title I of WIOA with an intangible right to honest services; and 3.) as a former customer of both Philadelphia Works, Inc. and the PA CareerLink Philadelphia System pursuant to Title I of WIOA.

The Defendants

5. Defendant United States Equal Employment Opportunity Commission (hereinafter “Defendant EEOC”) is a federal agency *“responsible for enforcing federal laws that make it illegal to discriminate against a job applicant or an employee because of the person's race, color, religion, sex (including pregnancy, transgender status, and sexual orientation), national origin, age (40 or older), disability or genetic information.”* www.eeoc.gov/overview
6. Defendant EEOC maintains a District Office in the City and County of Philadelphia, as indicated infra.
7. Defendant City of Philadelphia Commission on Human Relations (hereinafter “Defendant PCHR”) is an agency of the municipal government of the City and County of Philadelphia and a recipient of federal financial assistance under a Workshare Agreement with Defendant EEOC acting under color of state and federal nondiscrimination laws and regulations.
 - a. The “*History*” of Defendant PCHR is reported as follows:
“Established in 1951 under the City’s Home Rule Charter, the Philadelphia Commission on Human Relations is the local

agency that enforces the civil rights laws and deals with matters of intergroup conflict within the City of Philadelphia. <https://www.phila.gov/HumanRelations/AboutUs/Pages/default.aspx>

- b. The purported “*Mission*” of the PCHR is the following: “*To enforce the City's laws prohibiting discrimination, to promote equal rights and opportunities of all Philadelphians, and to advance community relations across differences such as race, religion, ethnicity, disability or sexual orientation.*” <https://www.phila.gov/HumanRelations/AboutUs/Pages/default.aspx>

8. Defendant Philadelphia Works, Inc. (hereinafter “Defendant Philadelphia Works”) is a quasi-municipal government agency and recipient of federal financial assistance that is incorporated as a non-profit organization in the Commonwealth of Pennsylvania and acts under color of state law with a mandate to serve as the local workforce development board for the City and County of Philadelphia and as the fiduciary for the PA CareerLink Philadelphia System,

which is also a state agency of the Commonwealth and an American Job Center pursuant to WIOA.¹

9. Defendant H. Patrick Clancy is a white man who Mayor James F. Kenney appointed to serve as the President and Chief Executive Officer of Defendant Philadelphia Works effective 19 December 2016.
10. Defendant H. Patrick Clancy and Mayor Kenney have maintained a personal friendship since childhood.
11. At all times relevant, Defendant H. Patrick Clancy has been employed as President & CEO of Defendant Philadelphia Works.
12. At all times relevant, Defendant H. Patrick Clancy has occupied a seat on the Board of Directors of Defendant Philadelphia Works in his official capacity as President & CEO.
13. At all times relevant, Defendant H. Patrick Clancy has held fiduciary duties under Title I of WIOA in his official capacity as President & CEO of Defendant Philadelphia Works.

¹ FAQ: “Who runs the PA CareerLink Centers in Philadelphia?” Answer: “Philadelphia Works, Inc. contracts local service providers to operate the four PA CareerLink Centers and related services.” See <https://www.pacareerlinkphl.org/faqs/>.

14. Defendant District 1199C National Union of Hospital and Health Care Employees, AFSCME, AFL-CIO is a labor union located in the City and County of Philadelphia (hereinafter “Defendant District 1199C NUHHCE-AFSCME”).
15. Defendant District 1199C Training & Upgrading Fund was “*created in 1974 by collective bargaining agreements between District 1199C of the National Union of Hospital & Health Care Employees (NUHHCE) and 11 Philadelphia hospitals*” (hereinafter “Defendant District 1199C Fund”).²
16. Defendant Cheryl Feldman is a white woman who has been employed as the Executive Director of Defendant District 1199C Fund since 2002.
17. At all times relevant, Defendant Cheryl Feldman has served as a Member of the Board of Directors of Defendant Philadelphia Works as an appointee of Mayor Kenney.

² See <https://www.1199ctraining.org/about>.

18. At all times relevant, Defendant Cheryl Feldman has served on the Board of Directors of Philadelphia Works in her official capacity as Executive Director of Defendant District 1199C Fund.
19. At all times relevant, Defendant Cheryl Feldman has concurrently acted in both her official capacities as Executive Director of Defendant District 1199C Fund and as a Board Member of Defendant Philadelphia Works.
20. At all times relevant, Defendant Cheryl Feldman has held fiduciary duties under Title I of WIOA in both her official capacities as Executive Director of Defendant District 1199C Fund and as a Board Member of Defendant Philadelphia Works.
21. At all times relevant, Defendant Cheryl Feldman has maintained personal friendships with Defendant H. Patrick Clancy, Mayor Kenney, and Rue Landau, Esquire, former Executive Director of the PCHR who served as an appointee of Mayor Kenney's at all times relevant until January 2021.
22. Defendant Elizabeth Hammond is a woman of African descent formerly employed by Defendant District 1199C Fund under the supervision of Defendant Cheryl Feldman.

23. At all times relevant, Defendant Elizabeth Hammond was an employee of Defendant District 1199C Fund in the capacity of Director of Human Resources.
24. Defendant Angelica Velasquez is a woman of Hispanic/Latino descent formerly employed by Defendant District 1199C Fund under the supervision of Defendant Cheryl Feldman.
25. At all times relevant, Defendant Angelica Velasquez was an employee of Defendant District 1199C Fund in the capacity of Program Lead.
26. Defendant Freedman & Lorry, P.C. (hereinafter “Defendant Freedman & Lorry”) is a law firm located in the City and County of Philadelphia.
27. Defendant Neal Goldstein, Esquire is a white man and an attorney licensed to practice law by the Commonwealth of Pennsylvania [PA Attorney ID No. 17589].
28. At all times relevant, Defendant Neal Goldstein has served as President of Freedman & Lorry.

29. Defendant Susan A. Murray, Esquire is a female attorney licensed to practice law by the Commonwealth of Pennsylvania [PA Attorney ID No. 53036] (hereinafter “Defendant Susan Murray”), who is employed by Defendant Freedman & Lorry.
30. At all times relevant, Defendant Freedman & Lorry, Defendant Neal Goldstein and Defendant Susan Murray have served as legal counsel for the Respondents to Ms. Pedro’s Charge of Discrimination, namely: Defendant District 1199C NUHHCE-AFSCME, Defendant District 1199C Fund, Defendant Cheryl Feldman, Defendant Elizabeth Hammond and Defendant Angelica Velasquez.
31. Defendant The Amoire Group, Inc. (hereinafter “Defendant The Amoire Group”) is a for-profit corporation registered with the Commonwealth of Pennsylvania, Department of State (“PA DOS”) [PA Business Entity No. 2843359].
32. As of the instant date, Renee Amoire (deceased) is listed as “President” of Defendant The Amoire Group according to the PA DOS.
33. The Defendants’ contact information appears in Table I *infra* at p. 13 – 14 *infra*.

Table I: Defendants' Contact Information

Defendants' Name	Employer	Address	Phone Number	Website/Email
United States Equal Employment Opportunity Commission	N/A	801 Market St. 13 Floor Philadelphia, PA 19107	(267) 589-9700	www.eeoc.gov Jamie.Williamson@eeoc.gov
City of Philadelphia Commission on Human Relations	N/A	601 Walnut Street Suite 300 South Philadelphia, PA 19106	(215) 686-4670	https://www.phila.gov/HumanRelations/Pages/default.aspx randy.duque@phila.gov
Philadelphia Works, Inc.	N/A	1617 JFK Blvd. 13 th Floor Philadelphia, PA 19103	(215) 963-2100	www.philaworks.org
H. Patrick Clancy	Philadelphia Works, Inc.	1617 JFK Blvd. 13 th Floor Philadelphia, PA 19103	(215) 963-2100	pclancy@philaworks.org
District 1199C NUHHCE-AFSCME	N/A	1319 Locust St. Philadelphia, PA 19107	(215) 735-1300	www.1199cnuhhce.org
District 1199C Training & Upgrading Fund	N/A	100 S. Broad St. 10 th Floor Philadelphia, PA 19110	(215) 568-2220	www.1199ctraining.org
Cheryl Feldman	District 1199C Training & Upgrading Fund	100 S. Broad St. 10 th Floor Philadelphia, PA 19110	(215) 568-2220	cfeldman@1199ctraining.org
Elizabeth Hammond AND Angelica Velasquez	c/o District 1199C Training & Upgrading Fund and Cheryl Feldman	100 S. Broad St. 10 th Floor Philadelphia, PA 19110	(215) 568-2220	cfeldman@1199ctraining.org
Freedman & Lorry, P.C.	N/A	1601 Market St. Suite 1500 Philadelphia, PA 19103	(215) 925-8400	www.freedmanlorry.com

Defendants' Name	Employer	Address	Phone Number	Website/Email
Neal Goldstein	Freedman & Lorry, P.C.	1601 Market St. Suite 1500 Philadelphia, PA 19103	(215) 925-8400	ngoldstein@freedmanlorry.com
Susan Murray	Freedman & Lorry, P.C.	1601 Market St. Suite 1500 Philadelphia, PA 19103	(215) 925-8400	smurray@freedmanlorry.com
The Amoores Group, Inc.	N/A	150 Allendale Rd. Bldg. #2 Suite 2200 King Of Prussia, PA 19406	(610) 992-0555	www.amooregroup.org

FACTUAL ALLEGATIONS

Carmencita María Pedro v. District 1199c Training & Upgrading Fund for Philadelphia Hospital and Health Care Employees, et al.:

On 30 September 2019, Ms. Pedro filed a handwritten Charge of Discrimination with Defendant EEOC [Charge No. 530-2019-01160] in-person at the Philadelphia District Office. Subsequently, Defendant EEOC prepared a perfected Charge and dually filed it with Defendant PCHR [PCHR Charge No. 2019-11-06-2418], at which time it was unbeknown to Ms. Pedro that a malicious agenda was afoot to intentionally derail any and all investigations of her discrimination and retaliation claims as a machination to shield the Defendants from legal accountability and financial liability, namely: Defendant Philadelphia Works; Defendant H. Patrick Clancy; Defendant District 1199C NUHHCE-AFSCME;

Defendant District 1199C Fund; Defendant Cheryl Feldman; Defendant Elizabeth Hammond; Defendant Angelica Velasquez; Defendant Freedman & Lorry; Defendant Neal Goldstein; Defendant Susan Murray; and Defendant The Amoire Group.

Thereafter, Defendant EEOC transferred the purported investigation of Ms. Pedro's Charge No. 530-2020-01160 to Defendant PCHR under a federally funded Workshare Agreement, where it became apparent that the dual filing of her Charge with Defendant PCHR that was initiated by Defendant EEOC via email dated 2 October 2019 and Defendant EEOC's decision to transfer the purported investigation of said Charge to Defendant PCHR via letter dated 5 November 2019 occurred in collusion and subterfuge with the Defendants for the benefit of two municipal government agencies: Defendant PCHR and Defendant Philadelphia Works; and for the benefit of a union: Defendant District 1199C NUHHCE-AFSCME; and for the benefit of a union nonprofit: Defendant District 1199C Fund; and for the benefit of their respective officers, employees, board members and legal representatives: Defendant H. Patrick Clancy, Defendant Cheryl Feldman, Defendant Elizabeth Hammond, Defendant Angelica Velasquez, Defendant Freedman & Lorry, Defendant Neal Goldstein, and Defendant Susan Murray and others presently known and unknown.

Defendant EEOC deliberately misled Ms. Pedro to unwittingly assent to the submission of her Charge to Defendant PCHR upon the false representation that her Charge would actually be “investigated” by Defendant PCHR and that Defendant PCHR would actually issue “findings” at the conclusion of its purported investigation. However, Defendant EEOC transferred Ms. Pedro’s Charge to Defendant PCHR to prevent the investigation of her civil rights claims indefinitely.

By email dated 24 December 2020, Ms. Pedro requested the issuance of her Notice of Right to Sue and the production of the Charge File pursuant to the Freedom of Information Act (“FOIA”).

In response thereto, Defendant EEOC issued a Notice a Right to Sue to Ms. Pedro dated 28 December 2020 that is signed by Jamie R. Williamson, Director of the EEOC Philadelphia District Office and explicitly states, in pertinent part, the following:

“The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.”

Throughout January 2021 and February 2021, Ms. Pedro submitted multiple written requests by emails addressed to Director Williamson and to employees and legal representatives of Defendant PCHR for:

1.) disclosure of the supposed **“findings of the state or local fair employment practices agency”** – Defendant PCHR – who Defendant EEOC claims **“investigated”** Ms. Pedro’s Charge; and 2.) production of the Charge File. In her writings, Ms. Pedro served Director Williamson, Defendant EEOC and Defendant PCHR with notice of her intent to amend Civil Action No. 20-01397 and she informed them that she sought to discover the supposed **“findings”** and obtain the Charge File for that express purpose.

As of the date and time of this civil rights lawsuit, neither Defendant EEOC nor Defendant PCHR have ever served, provided or shared with Ms. Pedro with a copy of the supposed **“findings of the state or local fair employment practices agency”** – Defendant PCHR – who Defendant EEOC claims **“investigated”** Ms. Pedro’s Charge under a federally funded Workshare Agreement.

At all times relevant, both Defendant EEOC and Defendant PCHR have intentionally denied Ms. Pedro knowledge of the supposed **“findings”** and access to the Charge File for the improper purpose and unlawful objective of intentionally obstructing her legal and civil right to sue Defendant Philadelphia Works; Defendant H. Patrick Clancy; Defendant District 1199C NUHHCE-AFSCME; Defendant District 1199C Fund;

Defendant Cheryl Feldman; Defendant Elizabeth Hammond; Defendant Angelica Velasquez; Defendant Freedman & Lorry; Defendant Neal Goldstein; and Defendant Susan Murray.

At all times relevant, both Defendant EEOC and Defendant PCHR have illegally withheld the supposed “**findings**” and the Charge File in secret from Ms. Pedro.

In sum, there is absolutely no evidence whatsoever that Defendant PCHR “**investigated**” Ms. Pedro’s Charge [EEOC No. Carmencita María Pedro v. District 1199c Training & Upgrading Fund for Philadelphia Hospital and Health Care Employees, et al. [EEOC Charge No. 530-2019-01160 (PCHR Charge No. 2019-11-06-2418)]] under its federally funded Workshare Agreement with Defendant EEOC. Further, there is absolutely no evidence whatsoever that Defendant PCHR issued any “**findings.**” Moreover, there is absolutely no evidence whatsoever that Defendant EEOC received and reviewed the “**findings of the state or local fair employment practices agency**” – Defendant PCHR – who it claims “**investigated**” Ms. Pedro’s Charge.

Carmencita María Pedro v. The Amoores Group:

For the very first time on 28 December 2020, Defendant EEOC issued a Notice a Right to Sue to Ms. Pedro signed by Director Williamson, which explicitly states, in pertinent part, the following:

“The EEOC issues the following determination:

Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.”

Defendant EEOC emailed said Notice of Right to Sue to Ms. Pedro on 28 December 2020 at 8:27 AM. Prior to 28 December 2020, Defendant EEOC did not mail, or email or otherwise issue to Ms. Pedro any Notice of Right to Sue for EEOC Charge No. 530-2020-00676.

In sum, there is absolutely no evidence whatsoever that Defendant EEOC actually conducted an “**investigation**” of Ms. Pedro’s Charge. The Charge File produced by Defendant EEOC in response to Ms. Pedro’s FOIA request for EEOC Charge No. 530-2020-00676 is incomplete, in that, it is apparent that Defendant EEOC deliberately excluded documents from

disclosure without explanation, including, but not limited to the Position Statement of Defendant The Amoore Group.

WHEREFORE, Ms. Pedro seeks to compel the production of any and all “**findings**” adopted and entered by Defendant EEOC and the full and complete Charge Files for both Carmencita María Pedro v. District 1199c Training & Upgrading Fund for Philadelphia Hospital and Health Care Employees, et al. [EEOC Charge No. 530-2019-01160 (PCHR Charge No. 2019-11-06-2418)] and Carmencita María Pedro v. The Amoore Group [EEOC Charge No. 530-2020-00676] in order that she may amend her civil rights lawsuits and sue Defendant Philadelphia Works; Defendant H. Patrick Clancy; Defendant District 1199C NUHHCE-AFSCME; Defendant District 1199C Fund; Defendant Cheryl Feldman; Defendant Elizabeth Hammond; Defendant Angelica Velasquez; Defendant Freedman & Lorry; Defendant Neal Goldstein; Defendant Susan Murray; and Defendant The Amoore Group for their willful violations of Section 1981 of the Civil Rights Act of 1866, as amended; and Title VII of the Civil Rights Act; and the Americans with Disabilities Act, as amended; and the Age Discrimination in Employment Act, as amended; and Title I of the Workforce Innovation and Opportunity Act.

Respectfully submitted,

/s/ CARMENCITA MARÍA PEDRO

Carmencita María Pedro

Date: Sunday, 28 March 2021